?BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
%DATED: 15.05.2019
*CORAM
THE HONOURABLE MRS.JUSTICE J.NISHA BANU

+W.P(MD)No.11982 of 2019
and
W.M.P.(MD).No.9035 of 2019

#Ganeshan
.. Petitioner

Vs.
$1.The District Collector,
Thanjavur, Thanjavur District.

2.The Revenue Divisional Officer,
Thanjavur, Thanjavur District.

3.The Tahsildar,
Orthanadu Taluk, Thanjavur District.

4.The Sub~Registrar,
Orthanadu, Thanjavur,
Thanjavur District.

5.Rasappa

6.Durairaj

7.Manickaraj

8.Rajangam .. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, to direct the respondent Nos.1 to 3 to cancel the UDR Patta for the property situated at Thanjavur Registration District, Orthanadu Sub~Registration District, Orthanadu Taluk, Melayur Village, natham Survey Nos. 216/10 & 216/9 granted in favour of Rajappa and Durairaj respondents Nos. 5 and 6 herein and further more direct the respondents Nos.1 to 3 to issue Patta in favour of the petitioner for the residential house property situated at Thanjavur registration District, Orthanadu Sub~Registration District, Orthanadu Taluk, Melayur Village, Natham Survey Nos.216/10 Door No.714.A and the House Tax Assignment No.16.1.16, on the basis of the petitioner-s representation dated 04.05.2019.
!For Petitioner : Mr.R.Rajaraman
^For R~1 to R~4 : Mr.M.Murugan
Government Advocate

:ORDER

This writ petition is filed seeking a Writ of Mandamus to direct the respondent Nos.1 to 3 to cancel the UDR Patta granted in favour of respondents Nos. 5 and 6 in respect of the property situated in natham Survey Nos. 216/10 & 216/9, Thanjavur Registration District, Orthanadu Sub~ Registration District, Orthanadu Taluk, Melayur Village and also direct the respondents Nos.1 to 3 to issue patta and house tax assessment in favour of the petitioner for the residential house property situated at Natham Survey Nos.216/10 Door No.714.A, Thanjavur registration District, Orthanadu Sub~ Registration District, Orthanadu Taluk, Melayur Village, on the basis of his representation dated 04.05.2019.

2.Mr.M.Murugan, learned Government Advocate takes notice for the respondents 1 to 4.

3.The learned Government Advocate appearing for the respondents 1 to 4 would submit that the appropriate authority for considering the prayer of petitioner for cancellation of UDR patta, is the District Revenue Officer, Thanjavur District and the said authority has not been arrayed as a respondent in this petition.

4.Heard both sides.

5.Admittedly, there is a patta in favour of the respondents 5 and 6 in respect of the property situated in natham Survey Nos. 216/10 & 216/9, Thanjavur Registration District, Orthanadu Sub~Registration District, Orthanadu Taluk, Melayur Village. If the petitioner is aggrieved over the same, he has to approach the concerned District Revenue Officer to work out the remedy.

6.In view of the same, the petitioner is directed to submit appropriate application to the District Revenue Officer, Thanjavur District, within a period of four weeks from the date of receipt of a copy of this order and on receipt of the same, the District Revenue Officer, Thanjavur District, shall consider the same and pass appropriate orders on its own merit and in accordance with law, after affording due opportunity of hearing to the petitioner as well as the interested parties, if any, as expeditiously as possible, preferably within a period of eight weeks, thereafter.

7.The writ petition is disposed of as above. No costs.
Consequently, connected Miscellaneous Petition is closed.

To

1.The District Collector,
Thanjavur, Thanjavur District.

2.The Revenue Divisional Officer,
Thanjavur, Thanjavur District.

3.The Tahsildar,
Orthanadu Taluk, Thanjavur District.

4.The Sub~Registrar,
Orthanadu, Thanjavur,
Thanjavur District.

Copy to:

The District Revenue Officer,
Thanjavur District,
Thanjavur.